

Notice of Allowability

Application No.

09/753,227

Examiner

Gregory B. Sefcheck

Applicant(s)

ENGWER ET AL.

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 10/8/2007.
2. ☒ The allowed claim(s) is/are 2-11 and 13-34, renumbered 1-3, 12, 13, 5, 6, 4, 14-17, 21-25, 27-31, 7-10, 26, 32, 11, and 18-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

- Applicant's Request for Continued Examination filed 10/8/2007 is acknowledged.
- Claims 2, 5, 10, 15, 20, and 30 have been amended.
- Claims 2-11 and 13-34 remain pending and are allowed.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Schaal on 12/7/2007.

Claim 20 has been amended as shown in the attached appendix.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest broadcasting a data frame comprising load balancing information in response to broadcasting a special DTIM beacon having indicating transmission of a IEEE 802.11 data frame.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory B. Sefcheck whose telephone number is 571-272-3098. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

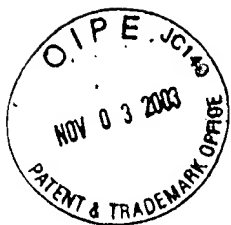
GBS *CBS*
12-12-2007

Wing Chan
12/12/07
WING CHAN
SUPERVISORY PATENT EXAMINER

20. (Currently Amended) An access point comprising:

hardware logic to broadcast a special delivery traffic indication message (DTIM) beacon comprising a traffic indicator comprising a traffic indicator bit that is set to denote transmission of a data frame as defined by an Institute of Electrical and Electronics Engineers (IEEE) 802.11 standard; and

hardware logic to broadcast the data frame as a first frame transmitted by the access point after broadcasting the special DTIM beacon with the broadcast of the data frame being conducted in response to the broadcast the special DTIM in order to reduce an amount of time required by a wireless unit in a power-save mode to remain powered-on to receive the data frame, the data frame comprises at least one of a load balancing information and a test pattern.



REPLACEMENT SHEET

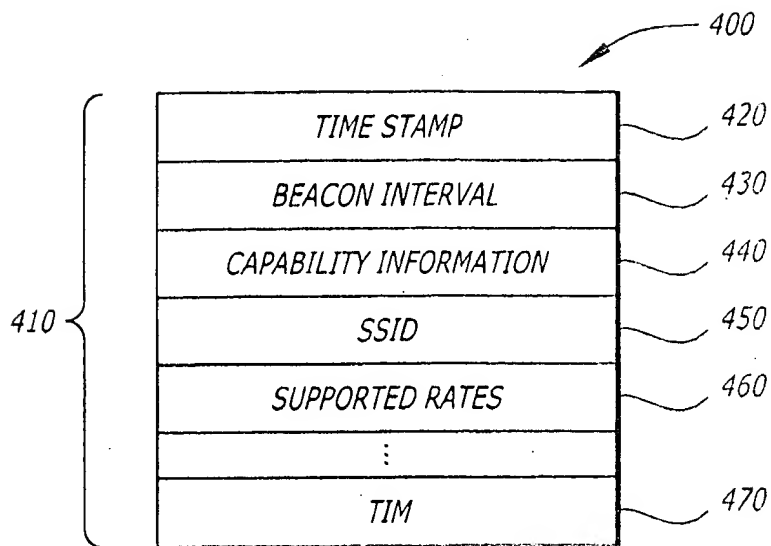


FIG. 4

Prior Art

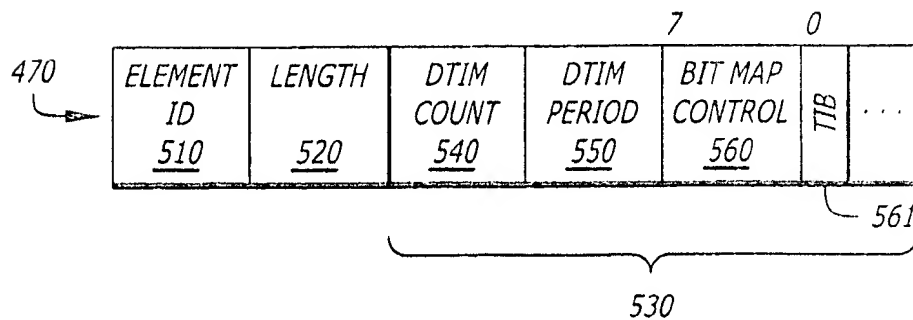
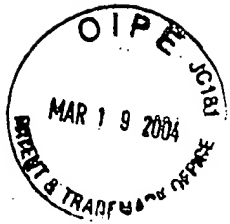


FIG. 5

Prior Art



REPLACEMENT SHEET

TIME STAMP	}	1010
BEACON INTERVAL		
CAPABILITY INFORMATION		
SSID		
SUPPORTED RATES		
⋮		
TIM		
AP NAME <u>1020</u>		
AP ID INFORMATION <u>1030</u>		
LOAD BALANCING INFORMATION <u>1040</u>		
PRELIMINARY FCS <u>1050</u>	}	1000
TEST PATTERN <u>1060</u>		
FCS <u>1070</u>		

FIG. 10